



## **STUDENT CONDUCT, RIGHTS AND RESPONSIBILITIES**

### **PVCC CODE OF CONDUCT**

#### **INTRODUCTION**

**P**iedmont Virginia Community College is an academic community in which all members and visitors share the duty and responsibility of securing and maintaining the freedom to learn. Freedom carries responsibilities; chief among these is the respect for the rights and the values of others. In order to provide and preserve this freedom on the college campus and at college-sponsored and college-supervised functions, the Code of Conduct was developed by a committee of students, faculty, staff, and administrators.

Within the college community, individuals are accorded respect in a learning environment that is free of discrimination on the basis of race, color, religion, national origin, political affiliation, disability, veteran's status, sex, age, or sexual orientation. All students are expected to exhibit and practice appropriate behavior when participating in instructional settings, including field experiences, internships, athletic and cultural events, or any other related college endeavor.

The college faculty and staff recognize their role in developing this sense of responsibility through example and guidance. Additionally, every student is presumed to have sufficient maturity, intelligence, and concern for the rights and values of others to preserve the standards of the academic community. This Code enumerates clear expectations of students as members of the college community, the kind of unacceptable behavior that may result in disciplinary action, and sanctions and disciplinary proceedings utilized when the Code is not observed. While on college property or at college-sponsored/supervised events, all persons, including guests of students, are required to abide by all college policies, procedures, practices, and related rules and regulations.

**The submission of an application to PVCC represents a voluntary decision on the student's part to abide by the PVCC Code of Conduct.** It is the student's responsibility to become familiar with the PVCC Code of Conduct. Lack of awareness is not an excuse for non-compliance with PVCC policies and regulations. All new students are oriented to the Code of Conduct in the PVCC SDV orientation course, and the Code of Conduct is referenced on the

course syllabus in all classes.

## **Definitions**

When used in this Code of Conduct:

1. The term “college” means Piedmont Virginia Community College (PVCC) and, collectively, those responsible for its control and operation.
2. The term “student” includes all persons registered for credit courses and noncredit courses on a full-time or part-time basis.
3. The term “faculty member/instructor” means any person hired by PVCC to conduct educational activities. In certain situations, a person may be both “student” and “faculty member/instructor” and is subject to the rights and responsibilities of both.
4. The term “college official” pertains to all college employees.
5. The term “college community” includes students (credit and noncredit) and all college employees.
6. The title “Dean of Student Services” refers to the current Dean or his/her designee.
7. The term “student club” means a number of persons who have complied with the formal requirements for college recognition.
8. The term “school days” means any day when PVCC is open for regular business.
9. The term “college premises” includes all land, buildings, facilities, and any other property in the possession of, owned, used, or controlled by PVCC.
10. The “Misconduct Hearing Committee” refers to the body authorized to implement the conduct hearing process.
11. The term “policy” includes all written regulations of PVCC as found in, but not limited to, the college catalog.
12. The term “recommendation” refers to a remedy proposed by the Misconduct Hearing Committee. A recommendation is not binding.
13. The term “decision” refers to a determination by the Dean of Student Services or his/her designee, or the President or his/her designee. A decision is binding.

## **Judicial Authority**

1. The Dean of Student Services or her/his designee is responsible for the administration of the student Code of Conduct.
2. The Misconduct Hearing Committee is the body authorized to implement and conduct the hearing process.
3. Any decision(s) made by the Dean of Student Services or her/his designee shall be final unless the student(s) or complainant(s) initiates the appeal process within the specified time frame.

## **Student Rights and Responsibilities**

The following statement of rights and responsibilities is designed to clarify those rights that the student may enjoy as a member of the community college. It also defines the responsibilities and obligations of the student in joining the college community.

### **Student Rights**

- Each student is guaranteed the privilege of exercising his or her rights without fear of prejudice.
- Students are free to pursue their educational goals. Appropriate opportunities for learning in the classroom and on the campus are provided by the college through the curricula offered.
- Students have the right to freedom of expression, inquiry, and assembly, subject to policy, rules and regulations.
- Students have the right to inquire about and offer suggestions to improve policies, regulations, and procedures that affect their welfare.
- Students are entitled to due process as required by law and by the Code of Conduct.
- The student as a member of the college community has the right to expect safety, protection of property, and the continuity of the educational process.
- A student has the right to access the college catalog and the Code of Conduct which lists the policies and procedures of the college.
- Each student is informed at the beginning of each course how the course will be graded. A written syllabus is provided to the student which will include a course outline and a grading and attendance policy.

## **Student Responsibilities**

- The student has a responsibility to demonstrate respect for self and others in the college community (including faculty, staff, and other students).
- The student has the responsibility to know and abide by the regulations and policies of the college, including registration deadlines, payment of tuition, withdrawal dates, and graduation application deadlines.
- The student has the responsibility to pay all fines and debts (including parking fines incurred at the college).
- The student has the responsibility to maintain academic integrity.

## **Student Conduct across the PVCC Campus**

Each student at Piedmont Virginia Community College is considered a responsible adult and is expected to maintain standards of conduct that are appropriate to membership in the college community. Disorderly conduct threatens a positive learning environment and will not be tolerated. Emphasis is placed on standards of conduct rather than on limits or restrictions of students. The PVCC Code of Conduct applies to both conduct within the classroom and outside of the classroom.

## **Conduct in the Classroom**

Faculty may establish their own policies addressing attendance and other standards of behavior in the classroom and in labs. Students are responsible for following the course syllabus which lists the requirements and expectations of the course. Exceeding the allowable number of absences permitted in an instructor's attendance policy may adversely affect the course grade or result in withdrawal from the course. Coming to class chronically late or engaging in inappropriate use of cell phones or other technology also violates acceptable conduct and may also affect the course grade or result in withdrawal from the course. If a student exhibits unruly or disruptive conduct in classroom or lab, the instructor may ask the student to leave the classroom immediately.

If the student refuses to leave or continues the disruption, the faculty member can call security for assistance. If the student is asked to leave the classroom, it is the student's responsibility to contact the instructor as soon as possible, and at the latest, before the next meeting of the class or lab to attempt to reconcile the problem. If not resolved, and/or in the most serious cases, such as when the student has previously been removed from the class or when the behavior is a serious violation of the rights of others (i.e. threats of violence or other acts of hostility) the faculty

member may deny the student's return to the course. In these cases the faculty member must file a charge of misconduct with the Dean of Student Services. Once a charge is filed, the case will be settled by following the College Disciplinary Process (see below).

## **Conduct Outside of the Classroom**

Appropriate behavior is also expected outside of the classroom on all college premises, such as hallways, offices, all common areas of the college, and the parking lots and grounds. Excessive fines and repeated violations of parking lot regulations or violations of the smoking policy may result in a charge of misconduct. In addition, this same Code of Conduct applies to PVCC classes held online and at off campus sites throughout the service area.

## **Prohibited Conduct**

The following misconduct, which is not all-inclusive, is subject to disciplinary action:

- 1) Failure to furnish identification upon the request of a college official.
- 2) Intentionally providing false information on any college application, transcript, or written document.
- 3) Intentionally making false material statements to the college.
- 4) Forgery, alteration, or misuse of any college documents, records, equipment, or identification.
- 5) All forms of academic dishonesty including cheating and plagiarism (See section on Academic Dishonesty).
- 6) Obstructing or acting in a manner disruptive or disturbing to the normal educational functions of the college, administration of the college, disciplinary procedure, or other college activities.
- 7) Any disruptive behavior in the classroom that interferes with the faculty member's ability to teach or the student's ability to learn.
- 8) All forms of violence, threatening behavior, verbal/non-verbal harassment, physical and/or psychological abuse, stalking and/or conduct that threatens or endangers the health and safety of any person. This includes harassment and threatening behavior using email and social media sites.
- 9) All forms of sexual harassment and sexual assault (see PVCC Sexual Misconduct Policy).
- 10) Engaging in any type of lewd or obscene language or conduct on PVCC property.

- 11) Stealing, concealing, defacing, or damaging college property or the property of a member of the college community or campus visitor.
- 12) Unauthorized entry to or use of college and off-campus properties, including the failure to leave any of the buildings or grounds after being requested to do so by an authorized employee of PVCC.
- 13) Attending a course without being properly registered.
- 14) Bringing unregistered visitors, including children to class without prior approval of the instructor.
- 15) Leaving a child for whom you are responsible unattended at any time.
- 16) Use of alcoholic beverages including the purchase, serving, consumption, possession, or sale of these items on college property or at any college-sponsored student event or activity.
- 17) Possessing, using, selling, or distributing illegal drugs or controlled substances as defined by Virginia law.
- 18) Gambling or holding a lottery on campus or at any college function without proper college approval.
- 19) Possession or use of firearms, explosives, or any other dangerous or deadly weapons, except as expressly permitted in writing by the college. An instrument designed to look like a weapon, which is used by a student to cause reasonable apprehension or harm, is expressly included within the definition of weapon. (See PVCC Firearms and Dangerous Weapons Policy XII-4.0)
- 20) Activating a fire alarm, making a threat to bomb or damage college property, or encouraging others to commit such an act. These acts will be disciplined by the college as well as turned over for criminal prosecution.
- 21) Violation of the PVCC smoking policy.
- 22) Failure to comply with PVCCs computer use policies.
- 23) Failure to comply with lawful directions of college officials acting in performance of their duties.
- 24) Violations of the Code of Conduct or of other college policies or regulations, including those concerning the registration of student organizations, the use of college property, or the time, place, and manner of public expression. (See PVCC Expressive Activity Policy 11-6.0)

## **Charges of Misconduct**

Any faculty member or college official may file a charge(s) of misconduct against a student. The charge(s) of misconduct shall be submitted, in writing to the Dean of Student Services within ten (10) school days of the point at which the alleged misconduct occurred or within ten (10) school days of the point at which the alleged misconduct could reasonably have been known to occur. An incident report submitted by a college public safety officer to the Dean of Student Services can also serve as a written charge of misconduct.

Pending action on any charge of misconduct by the Dean of Student Services shall not alter the status of a student or his/her right to participate in all class(es), college-sponsored, or college-supervised functions, or to be present on any college premises except in circumstances where: (a) there is concern for the student's physical or emotional safety, the well-being of any other member of the college community, or potential damage to college premises; or (b) the student persistently disrupts or obstructs teaching/learning, or is continuously disrespectful in the classroom.

## **Process for Charges of Misconduct**

**When a charge of misconduct is received, the Dean of Student Services will:**

- a. Review the charge of misconduct.
- b. Meet with the faculty or staff member who filed the charge of misconduct to get further details and explain the process for charges of misconduct.
- c. Meet with the student who has been charged with misconduct to review the charge, explain the process for charges of misconduct and review the student's due process rights.
- d. Investigate fully the charge of misconduct by interviewing witnesses and other parties involved.
- e. Decide the appropriate action(s) to be taken.
- f. If the charge(s) of misconduct involves more than one student, the process for charges of misconduct will be conducted separately for each student.
- g. If the misconduct charge violates another college policy, the student may be charged under that policy as well.
- h. If the charge of misconduct does not violate the Code of Conduct or the Dean of Student Services decides that the student is not guilty of misconduct, there will be no subsequent proceedings under the Code of Conduct policy.

- i. The Dean of Student Services has the authority to impose minor sanctions. Minor sanctions may include: warnings, fines, restitution, or campus or community service. Once these sanctions are imposed, there will be no subsequent proceedings unless the student decides to appeal the sanction imposed by the Dean for Student Services. To appeal the sanction, the student must contact the Vice President for Instruction and Student Services in writing, within seven (7) school days after the sanction was imposed. The decision of the Vice President is final and there is no further appeal.
- j. Any misconduct charge in which the possibility of a major sanction could be imposed shall be referred by the Dean of Student Services to the Misconduct Hearing Committee. The Misconduct Hearing Committee shall be convened no later than ten (10) school days after the Dean of Student Services refers the case.

## **Misconduct Hearing Committee**

### **A. Purpose and Membership of Committee**

1. The Misconduct Hearing Committee is convened to review and take action on cases referred by the Dean of Student Services that are related to student conduct violations and that may result in a major sanction.
2. The Misconduct Hearing Committee shall be composed of six voting members: two full-time instructional faculty, two students, one administrator, and one member of the classified staff. The Misconduct Hearing Committee shall elect its own chairperson who must be a college employee.
3. All Misconduct Hearing Committee members shall be present to conduct all business.
4. If a Misconduct Hearing Committee member becomes unavailable during the hearing for reasons such as illness, but is able to return within a reasonable time frame, the conduct hearing shall be postponed until all members of the Misconduct Hearing Committee are available.
5. If a Misconduct Hearing Committee member becomes unavailable during the conduct hearing and is unable to return within a ten (10) school day time frame, the Dean of Student Services will choose a replacement.

### **B. Procedures to Convene the Misconduct Hearing Committee**

1. All proceedings under the Code of Conduct may be carried out prior to, at the same time, or following any civil or criminal proceedings, criminal arrest, or prosecution at the discretion of the Dean of Student Services.



2. The Dean of Student Services will brief both the faculty or staff member who filed the charge of misconduct, and the student accused of misconduct on the Misconduct Hearing process before the committee convenes.
3. The Dean of Student Services will inform the accused student that he or she can have an advisor or support person present during the proceedings. The advisor/support person, however, cannot take an active part in the hearing.
4. The Dean of Student Services will consult with all parties involved in the Misconduct Hearing process in an effort to schedule a reasonable and mutually acceptable date for the committee to convene.
5. The hearing will be held within ten (15) school days after the Dean of Student Services has referred the case to the committee
6. All parties involved in the case will receive written notice of the date for the Misconduct Hearing Committee at least five (5) school days in advance of the hearing
7. The Dean of Student Services will provide all members of the Misconduct Hearing Committee all documents pertaining to the case before the Misconduct Hearing committee convenes.
8. The Dean of Student Services will instruct all parties involved in the Misconduct Hearing Committee to refrain from discussing the Hearing Committee proceedings with any person outside the committee.
9. The hearing(s) will be conducted in such a manner as to afford due process and shall be private. Due to the confidential nature of the hearing, attendance is limited to the Misconduct Hearing Committee, Dean of Student Services, the complainant, the accused student, the student's advisor/support person, and witnesses.

### **C. Misconduct Hearing Procedures**

1. The Dean of Student Services meets with the Misconduct Hearing Committee first to present the case and answer any questions from the committee.
2. The Misconduct Hearing Committee selects a chairperson to run the hearing.
3. The burden of proof rests on the person filing the complaint. All decisions will be based on the evidence presented before the Misconduct Hearing Committee.
4. The person filing the charge of misconduct proceeds first and presents the charge of misconduct to the committee.
5. Following the presentation by the complainant, the Misconduct Hearing Committee may ask follow up questions for more information and clarification.

6. The student accused of misconduct proceeds next and responds to the charge of misconduct.
7. Following the presentation by the accused student, the Misconduct Hearing Committee may ask questions for clarification.
8. Both the complainant and the accused student may present witnesses or provide additional documentation to support their case.
9. In most cases, the complainant and the accused will meet separately with the committee to present their cases.
10. The Misconduct Hearing Committee may impose reasonable time limits on all presentations.
11. All procedural questions are decided by the chairperson of the Misconduct Hearing Committee.
12. The Misconduct Hearing Committee reserves the right to go into closed session at any time in the proceedings.
13. No ruling can be made, nor sanctions imposed solely on the failure of the accused to answer the charges or to appear at the hearing. In such a case, the hearing will continue and evidence in support of the charges will be presented and considered.
14. Following all the presentations, the Misconduct Hearing Committee will go into closed session to render a decision on the case.
15. The Misconduct Hearing Committee will determine, by majority vote, whether the student violated the Code of Conduct. In a case of a tie vote, the Dean of Student Services will cast the deciding vote.
16. The committee may choose by majority vote any one of the following actions:
  - a) Dismiss the case.
  - b) Refer the case back to the Dean of Student Services for assignment of a minor sanction.
  - c) Issue a warning, orally or in writing, that continuation or repetition of conduct found wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action (**minor sanction**).
  - d) Impose fines (**minor sanction**).
  - e) Require restitution in the form of reimbursement for damage to or misappropriation of property (**minor sanction**).
  - f) Assign disciplinary probation through a written notice that continuation or repetition of conduct found wrongful, during a designated period of time not exceeding one year, will be cause for more severe disciplinary action such as suspension or expulsion (**minor sanction**).
  - g) Assign disciplinary probation with revoked privileges through a written notice that continuation or repetition of conduct found wrongful, during a designated period of

time not exceeding one year, will be cause for more severe disciplinary action such as suspension or expulsion. During the probationary time period, the student is excluded from participation in privileged or extracurricular institutional activities (**minor sanction**).

- h) Assign interim suspension in cases where there is evidence that the continued presence of the student poses a substantial and immediate threat to him/herself or to others, or to the continuance of normal college functions, during pending disciplinary proceeding or medical evaluation. A student placed on interim suspension who is unable to complete course work for the semester in which the interim suspension was issued will be given W grades (**major sanction**).
  - i) Require mandatory counseling as a condition to return to the college, such as counseling sessions with a licensed professional counselor in the community to work on inappropriate behavior and promote positive change (**major sanction**).
  - j) Place the student on suspension from the college. Exclusion from courses and other privileges or activities for a defined period of time not to exceed two years. Whether or not a student may make up missed academic work due to the suspension will be determined as part of this sanction (**major sanction**).
  - k) Dismiss the student from the college for an indefinite period of time. The conditions for readmission, if any, shall be stated in the order of dismissal. In the case of dismissal, all document related to the violation shall be maintained permanently (**major sanction**).
17. A written transcript of the proceedings will be kept in the Office of the Dean of Student Services for five (5) years.
18. The Misconduct Hearing Committee will submit its recommendations in writing to the Dean of Student Services within two (2) school days of completion of the hearing.
19. The Dean of Student Services will notify the accused student in writing of the College Hearing Committee's decision within five (5) school days of the completion of the hearing.

### **Appeal Procedure**

An appeal of the Misconduct Hearing Committee's decision by either party can be made to the President of the College within ten (10) school days of the decision. The appeal must be submitted in writing and must state on what grounds the appeal is based. The president shall take one of the three following actions: 1. Uphold the sanction, 2. Revise the sanction, 3. Dismiss the sanction. The decision of the president is final.

## **Procedural Safeguards**

During the misconduct hearing process, the student has the following safeguards:

1. Students will receive written notification of the time, place, and date of the hearing at least five (5) school days in advance to give a reasonable amount of time to prepare the case.
2. The Dean of Student Services will give an account of the misconduct charge filed against the student and will answer questions on procedure and process.
3. Students can have an advisor/support person during the hearing process, but that person cannot take an active role during the misconduct hearing.
4. Students will be notified of the decision of the Misconduct Hearing Committee within five (5) school days after the committee has met and reached their decision.
5. Students have the right to appeal the Misconduct Hearing Committee's decision to the President within ten (10) school days of receiving notification of the Misconduct Hearing Committee's decision.

## **Academic Dishonesty**

Piedmont Virginia Community College sets high standards for academic integrity, and takes academic dishonesty very seriously. The following misconduct is considered a violation of academic honesty and is subject to disciplinary action:

- A. All forms of academic dishonesty, including cheating, plagiarism, knowingly furnishing false information to the college or instructors, and the forgery, alteration or use of college documents or instruments of identification with the intent to defraud whether intentional or not.
  1. Plagiarism is the appropriation of passages, either in word or in substance, from the writings of another and the incorporation of those passages as one's own written work offered for credit. It is always assumed that the written work offered for credit is the student's own unless proper credit is given to the original author by the use of quotation marks and footnotes or explanatory inserts;
  2. Collaboration with another person in the preparation or editing of notes, themes, reports, or other written work offered for a grade is prohibited unless such collaboration has been specifically approved in advance by the instructor. Examples of collaboration include extensive use of another's idea for preparing a

creative assignment and receiving undue assistance in the preparation or editing of written materials.

3. Giving or receiving, offering or soliciting information on any quiz, test, or examination is prohibited; this includes the following:
  - copying from another student's paper;
  - use of non-approved prepared materials during an examination;
  - collaboration with another student during the examination;
  - buying, selling, stealing, soliciting or transmitting an examination or any material purported to be the unreleased contents of a (coming/pending) examination or the use of any such material;
  - substituting for another person during an examination or allowing such a substitution for one's self;
  - providing test question information to students prior to that student taking the test.
4. Using electronic or internet resources without the permission of the instructor is prohibited.

### **Consequences**

All course syllabi will state the penalty for academic dishonesty in that course.

In matters of alleged academic dishonesty, the faculty member will meet in private with the student whose work is in question. The purpose of this meeting is to allow the instructor to discuss with the student the potential allegation and to allow the student an opportunity to respond. Should the instructor feel the need to pursue the matter further, he/she may exact whatever penalties have been specified in the course syllabus. Such penalties may include: being required to redo the assignment, receiving a grade of zero on the assignment or failing the course.

### **Procedures for Charges of Academic Dishonesty**

1. Once the instructor judges that a violation has occurred, the instructor will fill out the [ACADEMIC DISHONESTY REPORT](#) and both the student and the instructor will sign the form. This form will be sent to both the academic dean of the division and the Dean of Student Services. An [INCIDENT REPORT \(Academic Dishonesty\)](#) will also be submitted to complete the reporting process.
2. The student will be told that a copy of the Academic Dishonesty Report will be placed in the student's file and that the incident may be reported to four-year schools if requested by the four-year school. A written summary of academic dishonesty on the student's record can affect the student's transfer to a four-year

college or university. At the end of one academic year, the student may petition the Dean of Student Services to remove the report if no further incidences of academic dishonesty have occurred. Once the report is removed it will not be reported as a disciplinary action if requested by a four-year school.

3. A student who has been informed that he/she is to be penalized for committing academic dishonesty may appeal the faculty member's decision. The appeal must be submitted in writing to the appropriate academic dean within ten (10) school days of the date upon which the student was informed of the penalty. The Dean will decide whether to uphold or overturn the faculty member's decision.
4. If the student disagrees with the dean's decision, he or she may then appeal, in writing, to the Vice President of Instruction and Student Services. The decision of the Vice President is final.
5. If the student's appeal to the Dean or the Vice President is granted, the Academic Dishonesty report and the academic dishonesty charge will be removed from the student's record.
6. The receipt of a second report of academic dishonesty constitutes a violation of the Student Code of Conduct and can result in a major sanction. In these cases, the Dean of Student Services will convene the Misconduct Hearing Committee to review the case (see Misconduct Hearing Procedures on p. 9).

*PVCC Code of Conduct*  
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